

BEFORE THE STATE ELECTION BOARD
STATE OF GEORGIA

IN THE MATTER OF:

CITY OF BRASWELL

Respondent.

*
*
*
*
*

Case No. 2007-000046

RECEIVED
SECRETARY OF STATE
2008 JUN -9 AM 11:32
PROJECT OFFICE

CONSENT ORDER

The State Election Board and the Respondent, the City of Braswell, in lieu of further administrative or legal proceedings, hereby enter into the following stipulations and settlement agreement for the purpose of resolving this matter with the entry of this Consent Order.

STIPULATED FACTS

1.

On November 6, 2007, the City of Braswell held a municipal election. Two electors were turned away from the polls because their names did not appear on the elector's list. The electors were not allowed to cast provisional ballots. The electors resided at an address within the Braswell city limits and were eligible to vote in the municipal election.

2.

Prior to the November 6, 2007 election, the City of Braswell failed to provide a map detailing the municipal boundaries to the Polk County Chief Registrar so that municipal polling places could be accurately assigned to electors.

2008 JUN 10 AM 11:15
RECEIVED
SECRETARY OF STATE
ELECTION DIVISION

CONCLUSIONS OF LAW

3.

Respondent City of Braswell acknowledges that it violated O.C.G.A. § 21-2-226 (c) when it failed to provide the Polk County Registrar's Office with a detailed map showing the municipal boundaries of the City of Braswell.

ORDER

The Georgia State Election Board, having considered the particular facts and circumstances of this case, inclusive of the within and forgoing "Stipulated Facts" and "Conclusions of Law," hereby **ORDERS**, and the Respondent hereby agree, to cease and desist from violating O.C.G.A. § 21-2-226 (c). By this order, the Respondent is hereby reprimanded for its conduct.

This Consent Order, inclusive of its Stipulations and Order, shall not become effective unless and until approved by the Georgia State Election Board. If not agreed to, approved by, and executed on behalf of, the Georgia State Election Board, neither stipulation nor any other part of this agreement shall have any binding legal effect whatsoever and shall not constitute an admission against interest or prejudice the ability of either the Board or Respondent to adjudicate this matter.


(signatures on following page)

SO ORDERED this 30th day of June, 2008.



KAREN HANDEL
State Election Board

CONSENTED TO BY:


Mayor
On behalf of the City of Braswell

Sworn to and subscribed
before me this 4 day
of June, 2008.


Notary Public

My Commissions Expires Aug 15 2010

